

**House File 2335 - Reprinted**

HOUSE FILE 2335

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 5119HB)

(SUCCESSOR TO LSB 5119HA)

(As Amended and Passed by the House February 28, 2012)

**A BILL FOR**

1 An Act relating to appropriations to the justice system, and  
2 providing effective dates.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. 2011 Iowa Acts, chapter 134, section 30, is  
2 amended to read as follows:

3 SEC. 30. DEPARTMENT OF JUSTICE.

4 1. There is appropriated from the general fund of the state  
5 to the department of justice for the fiscal year beginning July  
6 1, 2012, and ending June 30, 2013, the following amounts, or  
7 so much thereof as is necessary, to be used for the purposes  
8 designated:

9 a. For the general office of attorney general for salaries,  
10 support, maintenance, and miscellaneous purposes, including  
11 the prosecuting attorneys training program, matching funds  
12 for federal violence against women grant programs, victim  
13 assistance grants, office of drug control policy prosecuting  
14 attorney program, and odometer fraud enforcement, and for not  
15 more than the following full-time equivalent positions:

16 .....	\$	<del>3,896,465</del>
17 .....		<u>7,013,637</u>
18 .....	FTEs	212.00

19 It is the intent of the general assembly that as a condition  
20 of receiving the appropriation provided in this lettered  
21 paragraph, the department of justice shall maintain a record  
22 of the estimated time incurred representing each agency or  
23 department.

24 b. For victim assistance grants:

25 .....	\$	<del>1,438,200</del>
26 .....		<u>2,590,502</u>

27 The funds appropriated in this lettered paragraph shall be  
28 used to provide grants to care providers providing services to  
29 crime victims of domestic abuse or to crime victims of rape and  
30 sexual assault.

31 The balance of the victim compensation fund established in  
32 section 915.94 may be used to provide salary and support of not  
33 more than 24 FTEs and to provide maintenance for the victim  
34 compensation functions of the department of justice.

35 The department of justice shall transfer at least \$150,000

1 from the victim compensation fund established in section 915.94  
2 to the victim assistance grant program.

3 c. For legal services for persons in poverty grants as  
4 provided in section 13.34:

5 .....	\$	907,416
6		<u>1,633,348</u>

7 2. a. The department of justice, in submitting budget  
8 estimates for the fiscal year commencing July 1, 2013, pursuant  
9 to section 8.23, shall include a report of funding from sources  
10 other than amounts appropriated directly from the general fund  
11 of the state to the department of justice or to the office of  
12 consumer advocate. These funding sources shall include but  
13 are not limited to reimbursements from other state agencies,  
14 commissions, boards, or similar entities, and reimbursements  
15 from special funds or internal accounts within the department  
16 of justice. The department of justice shall also report actual  
17 reimbursements for the fiscal year commencing July 1, 2011,  
18 and actual and expected reimbursements for the fiscal year  
19 commencing July 1, 2012.

20 b. The department of justice shall include the report  
21 required under paragraph "a", as well as information regarding  
22 any revisions occurring as a result of reimbursements actually  
23 received or expected at a later date, in a report to the  
24 co-chairpersons and ranking members of the joint appropriations  
25 subcommittee on the justice system and the legislative services  
26 agency. The department of justice shall submit the report on  
27 or before January 15, 2013.

28 Sec. 2. 2011 Iowa Acts, chapter 134, section 31, is amended  
29 to read as follows:

30 SEC. 31. OFFICE OF CONSUMER ADVOCATE. There is appropriated  
31 from the department of commerce revolving fund created in  
32 section 546.12 to the office of consumer advocate of the  
33 department of justice for the fiscal year beginning July 1,  
34 2012, and ending June 30, 2013, the following amount, or so  
35 much thereof as is necessary, to be used for the purposes

1 designated:

2 For salaries, support, maintenance, miscellaneous purposes,  
3 and for not more than the following full-time equivalent  
4 positions:

5 .....	\$	<del>1,568,082</del>
6		<u>3,136,163</u>
7 .....	FTEs	22.00

8 Sec. 3. 2011 Iowa Acts, chapter 134, section 32, is amended  
9 to read as follows:

10 SEC. 32. DEPARTMENT OF CORRECTIONS — FACILITIES.

11 1. There is appropriated from the general fund of the  
12 state to the department of corrections for the fiscal year  
13 beginning July 1, 2012, and ending June 30, 2013, the following  
14 amounts, or so much thereof as is necessary, to be used for the  
15 operation of adult correctional institutions, reimbursement  
16 of counties for certain confinement costs, and federal prison  
17 reimbursement, to be allocated as follows:

18 a. For the operation of the Fort Madison correctional  
19 facility, including salaries, support, maintenance, and  
20 miscellaneous purposes:

21 .....	\$	<del>20,515,641</del>
22		<u>40,859,943</u>

23 b. For the operation of the Anamosa correctional facility,  
24 including salaries, support, maintenance, and miscellaneous  
25 purposes:

26 .....	\$	<del>15,992,987</del>
27		<u>31,985,974</u>

28 c. For the operation of the Oakdale correctional facility,  
29 including salaries, support, maintenance, and miscellaneous  
30 purposes:

31 .....	\$	<del>27,797,213</del>
32		<u>55,717,933</u>

33 d. For the operation of the Newton correctional facility,  
34 including salaries, support, maintenance, and miscellaneous  
35 purposes:

1 ..... \$ ~~12,979,379~~  
 2 25,958,757  
 3 e. For the operation of the Mt. Pleasant correctional  
 4 facility, including salaries, support, maintenance, and  
 5 miscellaneous purposes:  
 6 ..... \$ ~~12,958,908~~  
 7 25,917,815  
 8 f. For the operation of the Rockwell City correctional  
 9 facility, including salaries, support, maintenance, and  
 10 miscellaneous purposes:  
 11 ..... \$ ~~4,658,233~~  
 12 9,316,466  
 13 g. For the operation of the Clarinda correctional facility,  
 14 including salaries, support, maintenance, and miscellaneous  
 15 purposes:  
 16 ..... \$ ~~12,241,178~~  
 17 24,477,653  
 18 Moneys received by the department of corrections as  
 19 reimbursement for services provided to the Clarinda youth  
 20 corporation are appropriated to the department and shall be  
 21 used for the purpose of operating the Clarinda correctional  
 22 facility.  
 23 h. For the operation of the Mitchellville correctional  
 24 facility, including salaries, support, maintenance, and  
 25 miscellaneous purposes:  
 26 ..... \$ ~~7,807,687~~  
 27 15,615,374  
 28 i. For the operation of the Fort Dodge correctional  
 29 facility, including salaries, support, maintenance, and  
 30 miscellaneous purposes:  
 31 ..... \$ ~~14,531,118~~  
 32 29,062,235  
 33 j. For reimbursement of counties for temporary confinement  
 34 of work release and parole violators, as provided in sections  
 35 901.7, 904.908, and 906.17, and for offenders confined pursuant

1 to section 904.513:

2 ..... \$ 387,546  
 3 775,092

4 k. For federal prison reimbursement, reimbursements for  
 5 out-of-state placements, and miscellaneous contracts:

6 ..... \$ 119,706  
 7 239,411

8 ~~1. For three correctional officer full-time equivalent~~  
 9 ~~positions that are to be assigned to a correctional institution~~  
 10 ~~by the director of the department of corrections:~~  
 11 ~~..... \$ 78,581~~

12 2. The department of corrections shall use moneys  
 13 appropriated in subsection 1 to continue to contract for the  
 14 services of a Muslim imam and a Native American spiritual  
 15 leader.

16 Sec. 4. 2011 Iowa Acts, chapter 134, section 33, is amended  
 17 to read as follows:

18 SEC. 33. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

19 There is appropriated from the general fund of the state to the  
 20 department of corrections for the fiscal year beginning July  
 21 1, 2012, and ending June 30, 2013, the following amounts, or  
 22 so much thereof as is necessary, to be used for the purposes  
 23 designated:

24 1. For general administration, including salaries, support,  
 25 maintenance, employment of an education director to administer  
 26 a centralized education program for the correctional system,  
 27 and miscellaneous purposes:

28 ..... \$ 2,417,771  
 29 4,835,542

30 b. It is the intent of the general assembly that each  
 31 lease negotiated by the department of corrections with a  
 32 private corporation for the purpose of providing private  
 33 industry employment of inmates in a correctional institution  
 34 shall prohibit the private corporation from utilizing inmate  
 35 labor for partisan political purposes for any person seeking

1 election to public office in this state and that a violation  
2 of this requirement shall result in a termination of the lease  
3 agreement.

4 c. It is the intent of the general assembly that as a  
5 condition of receiving the appropriation provided in this  
6 subsection the department of corrections shall not enter into  
7 a lease or contractual agreement pursuant to section 904.809  
8 with a private corporation for the use of building space for  
9 the purpose of providing inmate employment without providing  
10 that the terms of the lease or contract establish safeguards to  
11 restrict, to the greatest extent feasible, access by inmates  
12 working for the private corporation to personal identifying  
13 information of citizens.

14 2. For educational programs for inmates at state penal  
15 institutions:

16 ..... \$ ~~1,154,055~~  
17 2,308,109

18 b. It is the intent of the general assembly that moneys  
19 appropriated in this subsection shall be used solely for the  
20 purpose indicated and that the moneys shall not be transferred  
21 for any other purpose. In addition, it is the intent of the  
22 general assembly that the department shall consult with the  
23 community colleges in the areas in which the institutions are  
24 located to utilize moneys appropriated in this subsection  
25 to fund the high school completion, high school equivalency  
26 diploma, adult literacy, and adult basic education programs in  
27 a manner so as to maintain these programs at the institutions.

28 c. To maximize the funding for educational programs,  
29 the department shall establish guidelines and procedures to  
30 prioritize the availability of educational and vocational  
31 training for inmates based upon the goal of facilitating an  
32 inmate's successful release from the correctional institution.

33 d. The director of the department of corrections may  
34 transfer moneys from Iowa prison industries and the canteen  
35 operating funds established pursuant to section 904.310, for

1 use in educational programs for inmates.

2 e. Notwithstanding section 8.33, moneys appropriated in  
3 this subsection that remain unobligated or unexpended at the  
4 close of the fiscal year shall not revert but shall remain  
5 available to be used only for the purposes designated in this  
6 subsection until the close of the succeeding fiscal year.

7 3. For the development of the Iowa corrections offender  
8 network (ICON) data system:

9 .....	\$	<del>212,182</del>
10		<u>424,364</u>

11 4. For offender mental health and substance abuse  
12 treatment:

13 .....	\$	<del>11,160</del>
14		<u>22,319</u>

15 5. For viral hepatitis prevention and treatment:

16 .....	\$	<del>83,941</del>
17		<u>167,881</u>

18 6. It is the intent of the general assembly that for  
19 the fiscal year addressed by this section the department of  
20 corrections shall continue to operate the correctional farms  
21 under the control of the department at the same or greater  
22 level of participation and involvement as existed as of January  
23 1, 2011; shall not enter into any rental agreement or contract  
24 concerning any farmland under the control of the department  
25 that is not subject to a rental agreement or contract as of  
26 January 1, 2011, without prior legislative approval; and  
27 shall further attempt to provide job opportunities at the  
28 farms for inmates. The department shall attempt to provide  
29 job opportunities at the farms for inmates by encouraging  
30 labor-intensive farming or gardening where appropriate; using  
31 inmates to grow produce and meat for institutional consumption;  
32 researching the possibility of instituting food canning  
33 and cook-and-chill operations; and exploring opportunities  
34 for organic farming and gardening, livestock ventures,  
35 horticulture, and specialized crops.



~~7. The department of corrections shall solicit requests for  
information to improve efficiencies at the pharmacy under the  
control of the department.~~

4     Sec. 5. 2011 Iowa Acts, chapter 134, section 34, is amended  
5 to read as follows:

6 SEC. 34. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
7 SERVICES.

8       1. There is appropriated from the general fund of the state  
9 to the department of corrections for the fiscal year beginning  
10 July 1, 2012, and ending June 30, 2013, for salaries, support,  
11 maintenance, and miscellaneous purposes, the following amounts,  
12 or so much thereof as is necessary, to be allocated as follows:

13       a. For the first judicial district department of  
14       correctional services:

15	.....	\$ 6,102,474
16		12,204,948

17       b. For the second judicial district department of  
18 correctional services:

19	.....	\$ 5,168,474
20		10,336,948

21 c. For the third judicial district department of  
22 correctional services:

23	.....	\$	<del>2,799,883</del>
24			5,599,765

25 d. For the fourth judicial district department of  
26 correctional services:

27	.....	\$ 2,695,678
28		5,391,355

29 e. For the fifth judicial district department of  
30 correctional services, including funding for electronic  
31 monitoring devices for use on a statewide basis:

32	.....	\$ 9,371,065
33		18,742,129

34 f. For the sixth judicial district department of  
35 correctional services:

1 ..... \$ ~~6,556,282~~  
 2 13,112,563

3 g. For the seventh judicial district department of  
 4 correctional services:

5 ..... \$ ~~3,246,407~~  
 6 6,492,814

7 h. For the eighth judicial district department of  
 8 correctional services:

9 ..... \$ ~~3,439,858~~  
 10 6,879,715

11 1A. As a condition of receiving an appropriation in  
 12 subsection 1 and to enhance the safety of the general public,  
 13 the judicial district departments of correctional services,  
 14 in cooperation with the department of corrections and the  
 15 department of human services, shall designate a facility for  
 16 persons who are placed in a transitional release program under  
 17 chapter 229A or discharged from commitment as a sexually  
 18 violent predator under chapter 229A because the person is in  
 19 need of medical treatment.

20 2. Each judicial district department of correctional  
 21 services, within the funding available, shall continue programs  
 22 and plans established within that district to provide for  
 23 intensive supervision, sex offender treatment, diversion of  
 24 low-risk offenders to the least restrictive sanction available,  
 25 job development, and expanded use of intermediate criminal  
 26 sanctions.

27 3. Each judicial district department of correctional  
 28 services shall provide alternatives to prison consistent with  
 29 chapter 901B. The alternatives to prison shall ensure public  
 30 safety while providing maximum rehabilitation to the offender.  
 31 A judicial district department of correctional services may  
 32 also establish a day program.

33 4. The governor's office of drug control policy or any  
 34 succeeding entity of the governor's office of drug control  
 35 policy shall consider federal grants made to the department

1 of corrections for the benefit of each of the eight judicial  
2 district departments of correctional services as local  
3 government grants, as defined pursuant to federal regulations.

4 5. The department of corrections shall continue to contract  
5 with a judicial district department of correctional services to  
6 provide for the rental of electronic monitoring equipment which  
7 shall be available statewide.

8 Sec. 6. 2011 Iowa Acts, chapter 134, section 39, is amended  
9 to read as follows:

10 SEC. 39. IOWA LAW ENFORCEMENT ACADEMY.

11 1. There is appropriated from the general fund of the  
12 state to the Iowa law enforcement academy for the fiscal year  
13 beginning July 1, 2012, and ending June 30, 2013, the following  
14 amount, or so much thereof as is necessary, to be used for the  
15 purposes designated:

16 For salaries, support, maintenance, miscellaneous purposes,  
17 including jailer training and technical assistance, and for not  
18 more than the following full-time equivalent positions:

19 .....	\$	434,349
20 .....		<u>868,698</u>
21 .....	FTEs	24.55
22 .....		<u>25.50</u>

23 It is the intent of the general assembly that the Iowa law  
24 enforcement academy may provide training of state and local  
25 law enforcement personnel concerning the recognition of and  
26 response to persons with Alzheimer's disease.

27 The Iowa law enforcement academy may temporarily exceed and  
28 draw more than the amount appropriated in this subsection and  
29 incur a negative cash balance as long as there are receivables  
30 equal to or greater than the negative balance and the amount  
31 appropriated in this subsection is not exceeded at the close  
32 of the fiscal year.

33 2. The Iowa law enforcement academy may select at least  
34 five automobiles of the department of public safety, division  
35 of state patrol, prior to turning over the automobiles to

1 the department of administrative services to be disposed  
 2 of by public auction, and the Iowa law enforcement academy  
 3 may exchange any automobile owned by the academy for each  
 4 automobile selected if the selected automobile is used in  
 5 training law enforcement officers at the academy. However, any  
 6 automobile exchanged by the academy shall be substituted for  
 7 the selected vehicle of the department of public safety and  
 8 sold by public auction with the receipts being deposited in the  
 9 depreciation fund to the credit of the department of public  
 10 safety, division of state patrol.

11 Sec. 7. 2011 Iowa Acts, chapter 134, section 40, is amended  
 12 to read as follows:

13 SEC. 40. STATE PUBLIC DEFENDER. There is appropriated from  
 14 the general fund of the state to the office of the state public  
 15 defender of the department of inspections and appeals for the  
 16 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
 17 the following amounts, or so much thereof as is necessary, to  
 18 be allocated as follows for the purposes designated:

19 1. For salaries, support, maintenance, miscellaneous  
 20 purposes, and for not more than the following full-time  
 21 equivalent positions:

22 .....	\$ 12,541,591
23 .....	25,862,182
24 .....	FTEs 219.00

25 2. ~~For the fees of court-appointed attorneys for indigent~~  
 26 payments on behalf of eligible adults and juveniles from the  
 27 indigent defense fund, in accordance with section ~~232.141~~ and  
 28 ~~chapter 815~~ 815.11:

29 .....	\$ 15,340,464
30 .....	29,901,929

31 Sec. 8. 2011 Iowa Acts, chapter 134, section 41, is amended  
 32 to read as follows:

33 SEC. 41. BOARD OF PAROLE. There is appropriated from the  
 34 general fund of the state to the board of parole for the fiscal  
 35 year beginning July 1, 2012, and ending June 30, 2013, the

1 following amount, or so much thereof as is necessary, to be  
 2 used for the purposes designated:

3 For salaries, support, maintenance, miscellaneous purposes,  
 4 and for not more than the following full-time equivalent  
 5 positions:

6 .....	\$	<del>526,918</del>
7		<u>1,053,835</u>
8 .....	FTEs	<del>12.50</del>
9		<u>13.00</u>

10 Sec. 9. 2011 Iowa Acts, chapter 134, section 42, is amended  
 11 to read as follows:

12 SEC. 42. DEPARTMENT OF PUBLIC DEFENSE. There is  
 13 appropriated from the general fund of the state to the  
 14 department of public defense for the fiscal year beginning July  
 15 1, 2012, and ending June 30, 2013, the following amounts, or  
 16 so much thereof as is necessary, to be used for the purposes  
 17 designated:

18 1. MILITARY DIVISION

19 For salaries, support, maintenance, miscellaneous purposes,  
 20 and for not more than the following full-time equivalent  
 21 positions:

22 .....	\$	<del>2,763,521</del>
23		<u>5,527,042</u>
24 .....	FTEs	<del>313.00</del>
25		<u>309.21</u>

26 The military division may temporarily exceed and draw more  
 27 than the amount appropriated in this subsection and incur a  
 28 negative cash balance as long as there are receivables of  
 29 federal funds equal to or greater than the negative balance and  
 30 the amount appropriated in this subsection is not exceeded at  
 31 the close of the fiscal year.

32 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

33 For salaries, support, maintenance, miscellaneous purposes,  
 34 and for not more than the following full-time equivalent  
 35 positions:

1 .....	\$	<del>918,439</del>
2		<u>1,836,877</u>
3 .....	FTEs	<del>40.00</del>
4		<u>35.34</u>

5     a. The homeland security and emergency management  
6 division may temporarily exceed and draw more than the amount  
7 appropriated in this subsection and incur a negative cash  
8 balance as long as there are receivables of federal funds  
9 equal to or greater than the negative balance and the amount  
10 appropriated in this subsection is not exceeded at the close  
11 of the fiscal year.

12     b. It is the intent of the general assembly that the  
13 homeland security and emergency management division work in  
14 conjunction with the department of public safety, to the extent  
15 possible, when gathering and analyzing information related  
16 to potential domestic or foreign security threats, and when  
17 monitoring such threats.

18     Sec. 10. 2011 Iowa Acts, chapter 134, section 43, is amended  
19 to read as follows:

20     SEC. 43. DEPARTMENT OF PUBLIC SAFETY. There is appropriated  
21 from the general fund of the state to the department of public  
22 safety for the fiscal year beginning July 1, 2012, and ending  
23 June 30, 2013, the following amounts, or so much thereof as is  
24 necessary, to be used for the purposes designated:

25     1. For the department's administrative functions, including  
26 the criminal justice information system, and for not more than  
27 the following full-time equivalent positions:

28 .....	\$	<del>2,003,538</del>
29		<u>4,007,075</u>
30 .....	FTEs	36.00

31     2. For the division of criminal investigation, including  
32 the state's contribution to the peace officers' retirement,  
33 accident, and disability system provided in chapter 97A in the  
34 amount of the state's normal contribution rate, as defined in  
35 section 97A.8, multiplied by the salaries for which the funds

1 are appropriated, to meet federal fund matching requirements,  
 2 and for not more than the following full-time equivalent  
 3 positions:

4 .....	\$	<del>6,266,966</del>
5		<u>12,533,931</u>
6 .....	FTEs	<del>159.10</del>
7		<u>155.10</u>

8 The department shall employ one additional special agent and  
 9 one additional criminalist for the purpose of investigating  
 10 cold cases. Prior to employing the additional special agent  
 11 and criminalist authorized in this paragraph, the department  
 12 shall provide a written statement to prospective employees that  
 13 states to the effect that the positions are being funded by a  
 14 temporary federal grant and there are no assurances that funds  
 15 from other sources will be available after the federal funding  
 16 expires. If the federal funding for the additional positions  
 17 expires during the fiscal year, the number of full-time  
 18 equivalent positions authorized in this subsection is reduced  
 19 by 2.00 FTEs.

20 3. For the criminalistics laboratory fund created in  
 21 section 691.9:

22 .....	\$	<del>151,173</del>
23		<u>302,345</u>

24 4. a. For the division of narcotics enforcement, including  
 25 the state's contribution to the peace officers' retirement,  
 26 accident, and disability system provided in chapter 97A in the  
 27 amount of the state's normal contribution rate, as defined in  
 28 section 97A.8, multiplied by the salaries for which the funds  
 29 are appropriated, to meet federal fund matching requirements,  
 30 and for not more than the following full-time equivalent  
 31 positions:

32 .....	\$	<del>3,214,942</del>
33		<u>6,429,884</u>
34 .....	FTEs	<del>74.00</del>
35		<u>69.00</u>

1     b. For the division of narcotics enforcement for undercover  
2 purchases:

3 ..... \$ ~~54,521~~  
4 109,042

5     5. For the division of state fire marshal, for fire  
6 protection services as provided through the state fire service  
7 and emergency response council as created in the department,  
8 and for the state's contribution to the peace officers'  
9 retirement, accident, and disability system provided in chapter  
10 97A in the amount of the state's normal contribution rate, as  
11 defined in section 97A.8, multiplied by the salaries for which  
12 the funds are appropriated, and for not more than the following  
13 full-time equivalent positions:

14 ..... \$ ~~2,149,354~~  
15 4,298,707  
16 ..... FTEs ~~55.00~~  
17 54.00

18     6. For the division of state patrol, for salaries, support,  
19 maintenance, workers' compensation costs, and miscellaneous  
20 purposes, including the state's contribution to the peace  
21 officers' retirement, accident, and disability system provided  
22 in chapter 97A in the amount of the state's normal contribution  
23 rate, as defined in section 97A.8, multiplied by the salaries  
24 for which the funds are appropriated, and for not more than the  
25 following full-time equivalent positions:

26 ..... \$ ~~25,951,617~~  
27 51,903,233  
28 ..... FTEs ~~513.00~~  
29 498.05

30     It is the intent of the general assembly that members of the  
31 state patrol be assigned to patrol the highways and roads in  
32 lieu of assignments for inspecting school buses for the school  
33 districts.

34     7. For deposit in the sick leave benefits fund established  
35 under section 80.42 for all departmental employees eligible to



1 receive benefits for accrued sick leave under the collective  
2 bargaining agreement:

3 ..... \$ ~~139,759~~  
4 279,517

5 8. For costs associated with the training and equipment  
6 needs of volunteer fire fighters:

7 ..... \$ ~~362,760~~  
8 725,520

9 a. Notwithstanding section 8.33, moneys appropriated in  
10 this subsection that remain unencumbered or unobligated at the  
11 close of the fiscal year shall not revert but shall remain  
12 available for expenditure only for the purpose designated in  
13 this subsection until the close of the succeeding fiscal year.

14 b. Notwithstanding section 8.39, within the moneys  
15 appropriated in this section, the department of public safety  
16 may reallocate moneys as necessary to best fulfill the needs  
17 provided for in the appropriation. However, the department  
18 shall not reallocate an appropriation made to the department  
19 in this section unless notice of the reallocation is given  
20 to the legislative services agency and the department of  
21 management prior to the effective date of the reallocation.  
22 The notice shall include information regarding the rationale  
23 for reallocating the appropriation. The department shall  
24 not reallocate an appropriation made in this section for the  
25 purpose of eliminating any program.

26 Sec. 11. 2011 Iowa Acts, chapter 134, section 44, is amended  
27 to read as follows:

28 SEC. 44. GAMING ENFORCEMENT.

29 1. There is appropriated from the gaming enforcement  
30 revolving fund created in section 80.43 to the department of  
31 public safety for the fiscal year beginning July 1, 2012, and  
32 ending June 30, 2013, the following amount, or so much thereof  
33 as is necessary, to be used for the purposes designated:

34 For any direct support costs for agents and officers of  
35 the division of criminal investigation's excursion gambling

1 boat, gambling structure, and racetrack enclosure enforcement  
 2 activities, including salaries, support, maintenance,  
 3 miscellaneous purposes, and for not more than the following  
 4 full-time equivalent positions:

5 .....	\$	<del>4,918,153</del>
6		<u>10,335,709</u>
7 .....	FTEs	<del>120.00</del>
8		<u>115.00</u>

9     2. For each additional license to conduct gambling games on  
 10 an excursion gambling boat, gambling structure, or racetrack  
 11 enclosure issued during the fiscal year beginning July 1, 2012,  
 12 there is appropriated from the gaming enforcement fund to the  
 13 department of public safety for the fiscal year beginning July  
 14 1, 2012, and ending June 30, 2013, an additional amount of not  
 15 more than \$521,000 to be used for not more than 6.00 additional  
 16 full-time equivalent positions.

17     3. The department of public safety, with the approval  
 18 of the department of management, may employ no more than two  
 19 special agents and four gaming enforcement officers for each  
 20 additional riverboat or gambling structure regulated after July  
 21 1, 2012, and one special agent for each racing facility which  
 22 becomes operational during the fiscal year which begins July 1,  
 23 2012. One additional gaming enforcement officer, up to a total  
 24 of four per riverboat or gambling structure, may be employed  
 25 for each riverboat or gambling structure that has extended  
 26 operations to 24 hours and has not previously operated with a  
 27 24-hour schedule. Positions authorized in this subsection are  
 28 in addition to the full-time equivalent positions otherwise  
 29 authorized in this section.

30     Sec. 12. 2011 Iowa Acts, chapter 134, section 45, is amended  
 31 to read as follows:

32     SEC. 45. CIVIL RIGHTS COMMISSION. There is appropriated  
 33 from the general fund of the state to the Iowa state civil  
 34 rights commission for the fiscal year beginning July 1,  
 35 2012, and ending June 30, 2013, the following amount, or so

1 much thereof as is necessary, to be used for the purposes  
2 designated:

3 For salaries, support, maintenance, miscellaneous purposes,  
4 and for not more than the following full-time equivalent  
5 positions:

6 .....	\$	<del>648,535</del>
7		<u>1,167,362</u>
8 .....	FTEs	28.00

9 The Iowa state civil rights commission may enter into  
10 a contract with a nonprofit organization to provide legal  
11 assistance to resolve civil rights complaints.

12 Sec. 13. 2011 Iowa Acts, chapter 134, section 46, is amended  
13 to read as follows:

14 SEC. 46. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
15 DIVISION. There is appropriated from the wireless E911  
16 emergency communications fund created in section 34A.7A to  
17 the administrator of the homeland security and emergency  
18 management division of the department of public defense for  
19 the fiscal year beginning July 1, 2012, and ending June 30,  
20 2013, an amount not exceeding ~~\$200,000~~ \$250,000 to be used for  
21 implementation, support, and maintenance of the functions of  
22 the administrator and program manager under chapter 34A and to  
23 employ the auditor of the state to perform an annual audit of  
24 the wireless E911 emergency communications fund.

25 Sec. 14. Section 80.43, subsection 1, Code 2011, is amended  
26 to read as follows:

27 1. A gaming enforcement revolving fund is created in the  
28 state treasury under the control of the department. The fund  
29 shall consist of fees collected and deposited into the fund  
30 paid by licensees pursuant to section 99D.14, subsection 2,  
31 paragraph "b", and fees paid by licensees pursuant to section  
32 99F.10, subsection 4, paragraph "b". All costs for agents and  
33 officers plus any direct ~~and indirect~~ support costs for such  
34 agents and officers of the division of criminal investigation's  
35 racetrack, excursion boat, or gambling structure enforcement

1 activities shall be paid from the fund as provided in  
2 appropriations made for this purpose by the general assembly.

3 Sec. 15. Section 99D.14, subsection 2, paragraph b, Code  
4 Supplement 2011, is amended to read as follows:

5 b. Notwithstanding sections 8.60 and 99D.17, the portion of  
6 the fee paid pursuant to paragraph "a" relating to the costs  
7 of special agents plus any direct and indirect support costs  
8 for the agents, for the division of criminal investigation's  
9 racetrack activities, ~~shall not be deposited in the general~~  
10 ~~fund of the state but instead~~ shall be deposited into the  
11 gaming enforcement revolving fund established in section 80.43.  
12 However, the department of public safety shall transfer, on an  
13 annual basis, the portion of the regulatory fee attributable to  
14 the indirect support costs of the special agents to the general  
15 fund of the state.

16 Sec. 16. Section 99F.10, subsection 4, paragraph b, Code  
17 Supplement 2011, is amended to read as follows:

18 b. Notwithstanding sections 8.60 and 99F.4, the portion of  
19 the fee paid pursuant to paragraph "a" relating to the costs  
20 of special agents and officers plus any direct and indirect  
21 support costs for the agents and officers, for the division of  
22 criminal investigation's excursion gambling boat or gambling  
23 structure activities, ~~shall not be deposited in the general~~  
24 ~~fund of the state but instead~~ shall be deposited into the  
25 gaming enforcement revolving fund established in section 80.43.  
26 However, the department of public safety shall transfer, on an  
27 annual basis, the portion of the regulatory fee attributable  
28 to the indirect support costs of the special agents and gaming  
29 enforcement officers to the general fund of the state.

30 Sec. 17. EFFECTIVE UPON ENACTMENT. The following  
31 provisions of this Act, being deemed of immediate importance,  
32 take effect upon enactment:

33 1. The section of this Act amending section 80.43,  
34 subsection 1.

35 2. The section of this Act amending section 99D.14,

1 subsection 2, paragraph "b".

2 3. The section of this Act amending section 99F.10,  
3 subsection 4.